

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MINNIE MCCALL,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 2:14-cv-1113-ECM
)	(WO)
MONTGOMERY HOUSING)	
AUTHORITY, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION and ORDER

Now pending before the court is the Recommendation of the Magistrate Judge (doc. 108) which recommends that the Defendants' motion for summary judgment (doc. 90) be granted and that this case be dismissed with prejudice. On September 9, 2019, the Plaintiff filed objections to the Recommendation. (Doc. 111). The next day, the Plaintiff filed a motion for hearing (doc. 112). Soon thereafter, the Plaintiff filed a motion for leave to amend her objections (doc. 113), which the Court will grant. The Court has carefully reviewed the record in this case, including the Magistrate Judge's Report and Recommendation, and the Plaintiff's objections as amended. *See* 28 U.S.C. § 636(b).

When a party objects to a Magistrate Judge's Report and Recommendation, the district court must review the disputed portions *de novo*. 28 U.S.C. § 636(b)(1). The district court "may accept, reject, or modify the recommended disposition; receive further evidence; or resubmit the matter to the magistrate judge with instructions." FED.R.CIV.P. 72(b)(3). *De novo* review requires that the district court independently consider factual

issues based on the record. *Jeffrey S. ex rel. Ernest S. v. State Bd. of Educ.*, 896 F.2d 507, 513 (11th Cir. 1990). *See also United States v. Gopie*, 347 F. App'x 495, 499 n.1 (11th Cir. 2009). However, objections to the Magistrate Judge's Report and Recommendation must be sufficiently specific in order to warrant *de novo* review. *See Macort v. Prem, Inc.*, 208 F. App'x 781, 783-85 (11th Cir. 2006). Otherwise, a Report and Recommendation is reviewed for clear error. *Id.*

The Court has reviewed the Plaintiff's objections as amended, wherein she simply reiterates her complaints against the Montgomery Housing Authority. The Plaintiff's objections largely mirror her response to the Defendants' motion for summary judgment, offering only her conclusory assertions that she has been discriminated against and retaliated against by the Defendants. She objects to the Report and Recommendation without any specificity and without stating the bases for her objections. Despite the lack of specificity in the Plaintiff's objections meriting review only for clear error, the Court undertook a *de novo* review of Plaintiff's objections and finds that they are due to be overruled even under that more stringent standard of review.

The Plaintiff does not point to any error committed by the Magistrate Judge, but instead re-offers a recitation of the claims made in her amended complaint. The Court finds that the well-reasoned Recommendation of the Magistrate Judge effectively addresses all of the Plaintiff's claims.

Accordingly, for the reasons as stated and for good cause, it is

ORDERED as follows:

1. The Plaintiff's motion to amend her objections (doc. 113) is GRANTED;

2. The Plaintiff's motion for a hearing (doc. 112) is DENIED;
3. The Plaintiff's objections (docs. 111 & 113) are OVERRULED;
4. The Recommendation of the Magistrate Judge (doc. 108) is ADOPTED;
5. The Defendants' motion for summary judgment (doc. 90) is GRANTED; and
6. This case is DISMISSED with prejudice.

A final judgment will be entered.

DONE this 5th day of November, 2019.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE